



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Caltrans Landscape Maintenance Agreement and Right-of-Way Decertification Request for 225 North Guild Avenue

MEETING DATE: August 4, 1999

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the Council take the following action:

1. Authorize the City Manager and City Clerk to execute an agreement with Caltrans and the property owner for the maintenance of landscape and parking areas within the Victor Road (Highway 12) right-of-way at 225 North Guild Avenue (1362 Victor Road).
2. Authorize staff to submit a request to Caltrans for decertification of excess right-of-way in Victor Road along the north boundary of 225 North Guild Avenue.

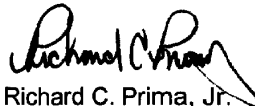
BACKGROUND INFORMATION: Street improvements for the property at 225 North Guild Avenue (1362 Victor Road) were installed with the Teresi Industrial Park project in 1991. Caltrans required a right-of-way dedication of 20 feet along Victor Road in conjunction with that project. The street improvements were installed in alignment with those installed with developments east and west of the project years earlier. The right-of-way was "behind" those improvements and in order to use it as part of the highway, major widening would need to be done both east and west of the Teresi property. The current parcel boundaries and Victor Road right-of-way are shown on Exhibit A.

A building permit application has been submitted for the construction of a new metal warehouse on the site. This project has been designated as a "Fast Track" project. The owner of the parcel, Mr. John Teresi, and the warehouse tenant, Interlake, Inc. (Lodi Fab Industries) have requested that required landscaping and a portion of the parking area for the project be allowed to encroach into the 20-foot right-of-way dedication mentioned above to accommodate their project. Adjacent parcels along the south side of Victor Road are developed and have existing structures that would make road widening to the south unfeasible. In addition, staff is pursuing street improvements, including curb, gutter, sidewalk, landscaping, fence installation and road widening, along the railroad right-of-way on the north side of Victor Road to accommodate four future travel lanes. Since these improvements would make widening to the south unnecessary, staff has had discussions with Caltrans regarding conditions to allow the encroachment or the possibility of decertifying (abandoning) the 20-foot strip of right-of-way to allow the project to proceed. The existing Victor Road right-of-way and improvements in the project vicinity are shown on Exhibit B.

To date, Caltrans has indicated that the landscaping encroachment could be allowed under the terms of a maintenance agreement if the agreement were executed by the City. A draft agreement has been submitted for staff comment. The owner and tenant are aware that maintenance would be their responsibility and that they would be required to enter into a similar agreement with the City should the City acquire permission for the encroachment. Staff would also like to continue efforts to have the right-of-way decertified to remove the encroachment and maintenance issues.

In order to keep the project moving, staff recommends that the Council authorize the City Manager and City Clerk to execute a maintenance agreement with Caltrans and the property owner to allow the encroachment of project improvements into the Victor Road right-of-way. Staff also recommends that Council approve a request to Caltrans for decertification of the excess right-of-way on the project site.

FUNDING: Not applicable.


Richard C. Prima, Jr.
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer
Attachments

cc: Rad Bartlam, Community Development Director
Sharon Welch, Senior Civil Engineer – Development Services
Mr. John Teresi
Cecil Dillon

APPROVED: _____

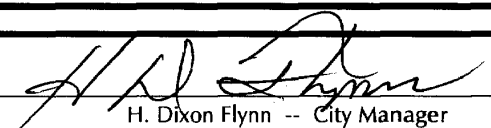
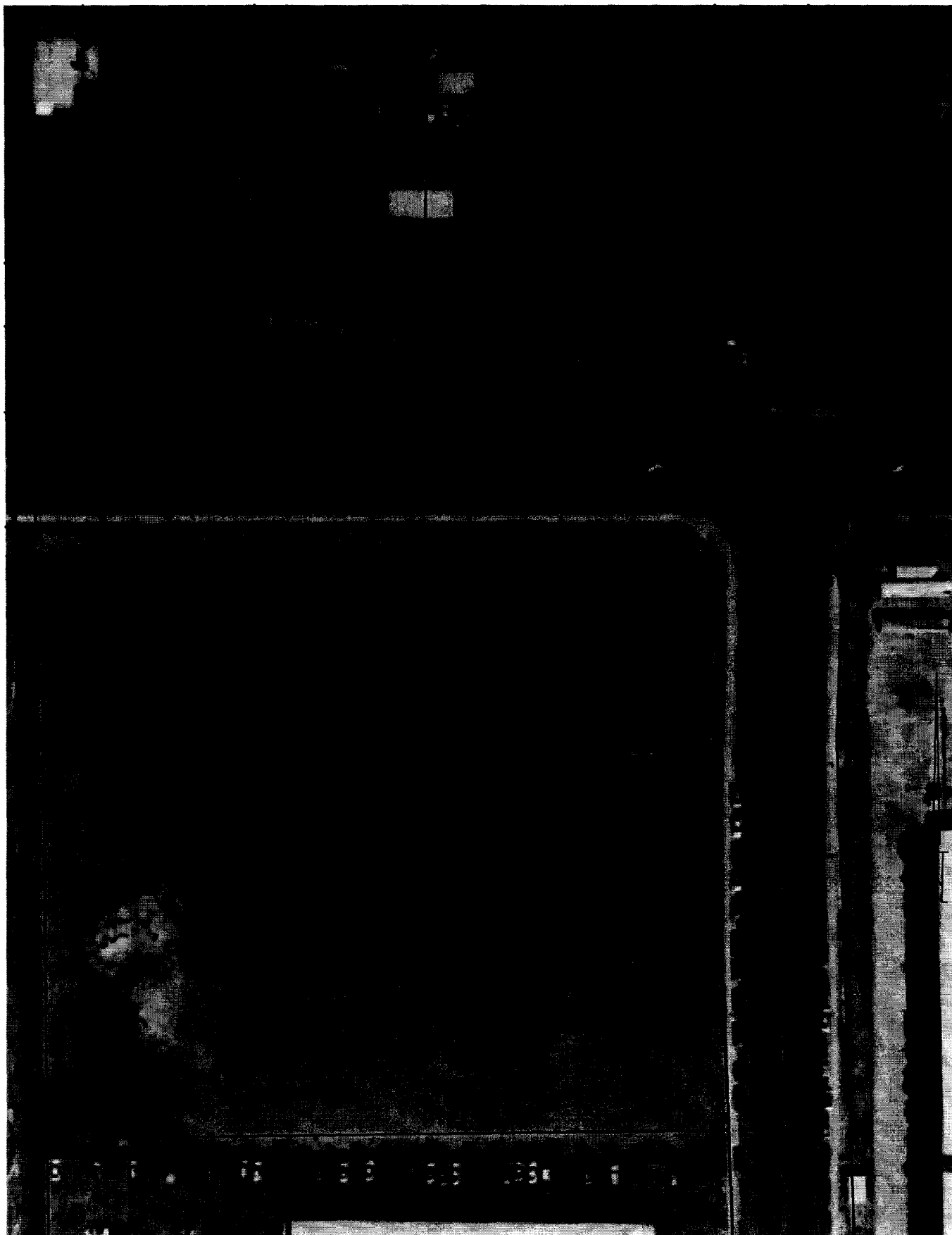

H. Dixon Flynn -- City Manager

EXHIBIT A



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EXHIBIT B



CITY COUNCIL

KEITH LAND, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
SUSAN HITCHCOCK
ALAN S. NAKANISHI
PHILLIP A. PENNINO

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710

July 29, 1999

H. DIXON FLYNN
City Manager
ALICE M. REIMCHE
City Clerk
RANDALL A. HAYS
City Attorney

Mr. John Teresi
P. O. Box 1270
Lodi, CA 95241

Mr. Cecil Dillon
Dillon & Murphy Engineering
P. O. Box 2180
Lodi, CA 95241-2180

**SUBJECT: Caltrans Landscape Maintenance Agreement and Right-of-Way
Decertification Request for 225 North Guild Avenue**

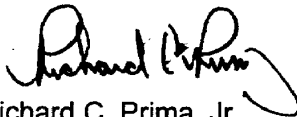
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, August 4, 1999. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Alice Reimche, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, ext. 659.



Richard C. Prima, Jr.
Public Works Director

RCP/lm

Enclosure

cc: City Clerk